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## MUNICIPAL ORDINANCES, RULES, AND REGULATIONS PERTAINING TO PUBLIC HEALTH.

### WINSTON-SALEM, N. C.

#### **Foodstuffs—Protection and Sale—Destruction of Unwholesome—Inspection and Sanitary Regulation of Establishments—Employees. (Ord. June 9, 1916.)**

SEC. 543. *Places where food is exposed shall be kept in a sanitary condition.*—Every person, firm, or corporation keeping, maintaining, or being in charge of any factory, public or private market, stall, stand, shop, store, warehouse, cold storage, cart, wagon, or other vehicle in or from which any meat, meat products, fish, oysters, or other sea food, game, fowl, fruit, berries, vegetables, bread or bakery products, ice cream, soft drinks, candies, or other articles or substances, intended for human consumption, are manufactured, held, kept, stored, exposed, or offered for sale or distribution, shall keep the same in a clean and sanitary condition.

SEC. 544. *Protection from flies and insects.*—No person, firm, or corporation shall at any time, within the period beginning the 1st day of April and ending the 1st day of November in any year, place, keep, or expose, offer or prepare for sale, or sell, or store pending sale, any article or substance of human food or drink in any building, premises, or place in the city of Winston-Salem, where such article or substance is not, at such times, so screened as to prevent flying insects from having access to such article or substance. And no person, firm, or corporation shall, at any time within such period of any year, bring into the city for sale or carry or convey or cause to be carried or conveyed upon, along, or over any street, alley, or way in the city, any article or substance of human food or drink, for the purpose of offering or exposing for sale or storing for sale, or which is at such time in course of delivery after sale, unless such article or substance of food or drink, at such times, be covered, screened, or otherwise protected in such manner as not to be accessible to flying insects: *Provided, however,* That no provision of this section shall apply to or affect any article or substance of human food or drink which shall, at such times, be in unbroken packages or containers tightly closed: *Provided further,* That the following foodstuffs shall not be deemed subject to contamination from flying insects and shall not be required to be screened, to-wit: Watermelons, and other melons, oranges, lemons and bananas, where unsliced or unpeeled, and potatoes, cabbages, collards, carrots, turnips, parsnips, onions, squash, and pumpkins.

SEC. 545. *Dining rooms and kitchens of public places, bakeries, markets, and other places shall be screened.*—The dining rooms of all public eating houses, hotels, boarding houses, restaurants, lunch rooms, and the kitchens thereof; all bakeries, confectioneries, candy factories, ice cream factories and parlors, soft drink stands, places using soda fountains, delicatessens, meat markets, and places where milk is bottled or exposed for sale, shall, during the period beginning the 1st day of April and ending the 1st day of November in every year, have all windows, doors, and openings therein properly screened so as to exclude flies from such places.

SEC. 546. *Unlawful to offer for sale unwholesome food.*—No rotten, fermented, diseased, nauseous, unsound, stale, or unwholesome vegetables, berries, melons, fruit, or other articles of food or drink shall be brought into the city of Winston-Salem

for sale or distribution as human food or drink, nor shall any such articles or substances be sold, exposed, prepared, or offered for sale within the city, in or from any cart, vehicle or market, stall, stand, shop, warehouse, cold storage, hotel, boarding house, restaurant, lunch room, or other place of business therein, or be carried for sale or for delivery after sale over and upon any of the streets, alleys, or public places of the city.

SEC. 547. *Destruction of unwholesome food.*—Whenever any health, sanitary, police, or other agent or officer of the health department of the city shall find in or upon any of the places or vehicles referred to in the foregoing section any rotten, diseased, nauseous, or unwholesome foodstuff, substance, or article intended for human food or drink, it shall be the duty of such officer or agent to notify the owner, manager, or person in charge of such article, place, or vehicle to remove such foodstuff or article to some proper place and destroy the same, or such officer or agent may seize such foodstuff or article and destroy it.

SEC. 548. *Places where food or drink is served shall be kept in a sanitary condition; diseased person prohibited from working therein.*—No person, firm, or corporation owning, managing, or in charge of any restaurant, hotel, boarding house, lunch room, ice cream parlor, soft drink stand, or other place where food or drink for human consumption is sold, served or prepared, shall keep or permit such place to be kept in a filthy or insanitary condition. No person suffering from tuberculosis, any venereal, or other communicable disease shall be employed in or about such places in any position which will bring him or her in contact with such food or drink.

SEC. 549. *Food not to be kept in room containing toilet; ventilation required where toilet room connects.*—No meats, meat products, fish, or other sea food, bakery products, soft drinks, ice cream, milk or milk products, candy, fruit, confectionery, vegetables, or other foodstuffs, shall be prepared for sale, kept, exposed for sale, or sold in any room in which a toilet is located, or in any room opening directly into a toilet room unless there is adequate outside ventilation to such toilet room.

SEC. 550. *Inspection of places handling foodstuffs; notice of insanitary condition; refusal to comply with violates this ordinance.*—It shall be the duty of the sanitary officers, health officers, and agents of the department of health to visit, at frequent intervals, each public and private market, stall, shop, stand, store, warehouse, cold storage, storehouse, canning factory, hotel, boarding house, restaurant, lunch room, soft drink stand, bakery, ice cream factory, or other place of business regulated by this chapter, in the city of Winston-Salem, and to inspect each, and also all wagons and other vehicles used therewith, or of vendors or street hawkers in or about which any of the foodstuffs or articles embraced in this chapter are kept, made, held, prepared, or carried for sale or distribution

Notice shall be given, where such premises, places, or vehicles are found to be in an unclean, unwholesome, or unsanitary condition, to remedy the same; and any person, firm, or corporation neglecting or refusing to put any such premises, place, or vehicle in a clean, wholesome, or proper sanitary condition within 24 hours from the time notice is given in writing by the health officer of the city so to do shall be deemed guilty of a violation of this ordinance; and each day the said notice is not complied with shall constitute a separate violation hereof.

SEC. 551. *Each day's failure to comply with any notice authorized by this chapter constitutes a separate violation.*—Where any notice shall be given under the provisions of this chapter to remedy unsanitary conditions, and such notice is disregarded or neglected, after 24 hours from the time the notice was given, unless a different period of time is expressly provided, each day thereafter such unsanitary condition is wilfully permitted to remain shall constitute a separate violation of the ordinance.

SEC. 552. *License, permit, or lease may be revoked for violation of ordinances.*—In addition to the penalty prescribed for the violation of the ordinances of the city of

Winston-Salem, the board of aldermen may revoke the license, lease, or permit of any person, firm, or corporation guilty of violating any of the provisions or sections contained in this chapter; and no fee or license tax, or any part thereof, shall be refunded to any such person, firm, or corporation.

**Milk and Milk Products—Production, Care, and Sale—Ice Cream—Dairy and Food Inspector. (Ord. June 9, 1916.)**

SEC. 505. *Dairy and food inspector.*—The board of aldermen, on recommendation of the committee on health, may elect a dairy and food inspector, whose duties shall be performed with respect to milk, meats, and other foods under the supervision and direction of the health officer.

SEC. 506. *Definition of terms.*—Wherever in these ordinances the term "milk products" is used it shall be understood to mean cream, buttermilk, or skimmed milk.

SEC. 507. *Board of aldermen shall make rules.*—The board of aldermen, on recommendation of the committee on health, shall make such rules as are deemed necessary for the proper regulation of the production and distribution and sale of milk within the city of Winston-Salem. Such rules, regulations, and ordinances shall be promulgated and enforced by the health officer or by his order.

SEC. 508. *Permit required for the sale of milk.*—No person, firm, association or corporation shall sell or offer for sale, at wholesale or retail, milk or cream in the city of Winston-Salem without a permit from the health officer, which shall be issued subject to such conditions as may be imposed under section 50 of the charter.

Such permit shall expire on the 31st of May, and shall be renewable on or before such date in each year, and may be suspended or revoked at any time for cause by the health officer after a hearing and on due notice: *And provided further*, That said permit may be suspended or revoked at any time without notice by said health officer when the milk supply from said dairy or dairy farm is exposed to infection by Asiatic cholera, anthrax, diphtheria, erysipelas (septic sore throat) [sic], scarlet fever, tuberculosis, typhoid fever, so as to render its distribution dangerous to public health.

SEC. 509. *Application for permit for sale of milk.*—No permit for sale of milk and cream in the city of Winston-Salem shall be issued unless written application, subscribed and sworn to by the applicant, has been made therefor in the form prescribed by the health officer. Every application for a permit to sell milk or cream at retail or wholesale shall contain the name of each producer, from whom the applicant secures or expects to secure milk or cream for sale, together with the approximate amount of milk or cream to be furnished by each such producer, and upon change in the source or amount of supply notice thereof shall be given promptly to the health officer.

SEC. 510. *List of customers shall be furnished by dairymen.*—Every person, firm, association, or corporation holding a permit to sell milk and cream in the city of Winston-Salem shall furnish a list of the names of his customers and their addresses every 60 days, for file in the office of the health officer.

SEC. 511. *Diseased persons prohibited from working in dairies.*—That no person suffering from tuberculosis, or who has knowingly within a period specified by the health officer been exposed to diphtheria, scarlet fever, erysipelas (septic sore throat) [sic], anthrax, or other dangerous diseases, shall work or assist in or about any dairy or dairy farm; no proprietor, manager, superintendent of any dairy or dairy farm sending or delivering milk in the city of Winston-Salem shall knowingly permit any person suffering or exposed as aforesaid to work or assist in or about said dairy or dairy farm.

SEC. 512. *Inspection of dairies.*—The health officer, or his duly authorized agent, shall make a sanitary inspection of every dairy farm where milk and cream are pro-